

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
v.	)	Crim. No.13-10200-GAO
	)	
DZHOKHAR A. TSARNAEV,	)	
Defendant	)	

**OPPOSITION TO DEFENDANT'S MOTION FOR RECONSIDERATION**

The United States of America, by and through its undersigned counsel, respectfully opposes defendant's request that the Court reconsider its June 23, 2014, order denying Tsarnaev's motion for disclosure of any grand jury instructions regarding the "special findings" in the indictment. Tsarnaev's motion for reconsideration is based entirely on Judge Wolf's recent decision in United States v. Sampson, Crim. No. 01- 10284-MLW (D. Mass.), which granted a motion similar to the one that this Court earlier denied. But in granting that motion, Judge Wolf did not rely upon a change in the law or even on legal arguments that were not presented to this Court; on the contrary, he considered essentially the same legal arguments and simply reached a different conclusion from this Court's. That is not a sound basis for reconsideration of this Court's earlier decision.

WHEREFORE, the government respectfully requests that the Court deny Tsarnaev's motion for reconsideration.

Respectfully submitted,

CARMEN M. ORTIZ  
UNITED STATES ATTORNEY

By: /s/ William D. Weinreb  
WILLIAM D. WEINREB  
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**CERTIFICATE OF SERVICE**

I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and that paper copies will be sent to those indicated as non-registered participants on this date.

/s/ William D. Weinreb  
WILLIAM D. WEINREB